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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/328,983	06/09/1999	ANDERS R. WALLGREN	003608.P009	7582

7590 03/07/2003

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EXAMINER	
GARG, YOGESH C	
ART UNIT	PAPER NUMBER
3625	

DATE MAILED: 03/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/328,983	Applicant(s) WALLGREN ET AL.	
	Examiner Yogesh C Garg	Art Unit 3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02 December 2002* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/30/2002 has been entered.

Response to Amendment

2. Amendment B, paper # 8, received on 12/2/2002, is entered. Claims 1,5,15, and 21 have been amended. Currently claims 1-22 are pending for examination.

Response to Arguments

3. Applicant's arguments, see pages 4-5, filed on 12/2/2002, with respect to the rejection(s)of claim(s) 1, 5, 12, 15 and 21 under 35 USC 103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Thackston (US Patent 6,295,513, which is a CIP of Application 09/270007 filed on March 16, 1999), Huberman, and Hill (US Patent 5,970,471).

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-11, 15-22 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Claims 1-11, 15-22 recite the limitation of "comparing a plurality of vendor specific instances of an electronic print job request object within a combined view" was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The specification makes only one conclusive statement (see page 26, lines 21-23, " In this access, the customer may examine the individual vendor-instances of the job request and/or a combined view thereof that allows for ready comparison ") and does not provide information/disclosure as how one skilled in the art will enable it without making undue experimentation.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 1-12, and 14-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thackston, in view of Hill, and further in view of Huberman.

7. With regards to claims 1-12 and 14-22, Thackston teaches a computer-based method, system, a web server comprising comparing a plurality of vendor specific instances of a job request object via a Web interface, each vendor specific instance of the job request object to represent a relationship between a customer and one of a plurality of vendors to perform a job project, wherein the vendor responses being based on the customer submissions and the job request, each vendor specific instance of the job request object defined through a series of iterative customer submissions and vendor responses based upon a criteria including payment, delivery terms , etc., and comparing comprises incrementally adding constraints to each initially under-constrained vendor specific instance of the job request object to produce a sufficiently-constrained vendor specific instance of the job request object, and to allow the customer to select one of the plurality of vendors to perform the job project (see at least, col.3, line 64-col.6, line 35, col.8, lines 45-57, col.8, line45-col.13, line 25, col.15, line 28-col.16, line 4, col.17, line 34-col.25, line58, col.48, line 26-col.52, line17, FIG.2, FIG.3, " 394-EC Data", FIG.4, " 415-Contracts between prime contractors and suppliers Data module ", FIG.6, "394-EC Data", FIG.8,"890-Stored Time Multimedia Communications Sessions Data Module", FIG.9, " 988-Electronic Commerce Processing Module", FIG.10, " 1004-Contracts Module", FIG.12, FIG.13, " 1306 –Quasi-Real-Time Graphics Processing Module", FIG.14, " 988-Electronic Commerce Processing Module ", FIGs 26-28. Note: "templates" (col.13, lines 11-16, col.25, lines 25-58) correspond to request object and the changes made/negotiated/formalized during interactive communication processing with suppliers/vendors (col.24, line 28-col.25, line 25, col.8, lines 45-58) corresponds to vendor specific instances of a job request in the application. At least, col.50, lines 43-65, " The RFQ may include information pertaining to how many rounds of bids will be considered...", disclose series of iterative customer submissions and vendor responses.).

Applicant's disclosure (page 5, lines 1-9) teaches that his invention is applicable for a custom manufacturing project and a print job can be an example. As per the disclosure, the invention is not directed to print job only. Similarly, though Thackston's embodiment is related to an electronic commerce application for finalizing suppliers for an engineering project, he further teaches that other embodiments and uses of his invention are apparent to those having ordinary skill in the art as the same steps and system elements would be applicable for other applications. Thackston's steps and system elements can be applicable to a print job also. In the same field of e-commerce, Huberman teaches a system and method to enable ordering and negotiating a print job on an electronic network (col.2, line 54-col.7, line 31). In view of Huberman, it would be obvious to a person of an ordinary skill in the art at the time of the invention to modify Thackston to combine Huberman's feature of ordering and negotiating a print job on an electronic network. Doing so would enable the system to create an electronic marketplace and bidding system where the buyers and suppliers could interactively negotiate/formalize specifications via templates of the job as explicitly disclosed in Thackston and provide open and efficient pricing practices for ordering print jobs on electronic networks as suggested in Huberman (col.2, 54-63).

Thackston/Huberman does not disclose comparing vendor specific instances in a combined view. However, Hill explicitly teaches comparing vendor specific instances in a combined view (see at least abstract, FIG.9, FIG.13, col.8, line 53-col.10, line 29). In view of Hill, it would have been obvious to a person of an ordinary skill in the art at the time of the invention to modify Thackston/Huberman to combine Hill's feature of comparing vendor specific instances in a combined view. Doing so would enable the buyer to view two different images corresponding to two or more different vendors' quotes frames side by side and thus making comparison convenient and faster as explicitly discussed in Hill.

8. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Thackston/Huberman/Hill and further in view of Farros et al. (US Patent 5,930,810)

With regards to claim 13, Thackston/Huberman/Hill teaches a computer based vendor specific instance of an electronic print job request object as disclosed in claim 12 and analyzed above. Thackston/Huberman/Hill further teaches that characteristics like bindings, delivery schedules, colorization, text, image recognition, etc. will have different pricing structure from different vendors (see at least Huberman, col.2, lines 38-43 and col.3, lines 40-58). Thackston/Huberman/Hill does not disclose "covers " also a characteristic along with bindings, delivery schedules, and etc. to have different pricing structure from different vendors. However, in the same field of printing, Farros teaches considering covers a characteristic to be considered for getting different pricing structure from different vendors (col.9, lines 33-47, "..... FIG. 8. A form 802 may include a number of components 804.1.....each of the components represent.....or faces ....such as cover, inside, back cover...."). it would be obvious to a person of an ordinary skill in the art at the time of the invention to modify Thackston/Huberman/Hill to include "covers " also a characteristic along with bindings, delivery schedules, etc. to have different pricing structure from different vendors. Doing so would enable customer to negotiate the cost for designing and printing the cover pages (Front cover, inside Front cover, Back cover, inside back cover) as per his requirements.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(i) US Patent 5,844,553 to Hao et al. discloses a mechanism IEP (Inter-Access event Process), wherein a new application sharing technology that enables sharing of many single-user non-

modified applications between two or more workstations. It provides concurrent sharing of existing multiple applications with no change in a distributed environment. It permits real-time sharing of distributed applications based on a fundamental window hierarchical mapping and user interactions. Control is centralized but the data and program are replicated. It is event driven with agent assistance. The new event capturing capability is automatically triggered by user interactions on entering/leaving the shared window. The event capturing capability starts when the user moves the pointer into the shared windows. The event capturing ends when the user moves the pointer out of the shared windows. The new multicasting scope is defined in a shared window hierarchy data array. This global data array is dynamically created at run time on an as-needed basis. Because this mechanism only processes user input events such as mouse, keyboard or cursor movement (commands), no output graphic data transmission across the network is required (see abstract). IEP has application in many areas. For example, it can be used in concurrent engineering to permit the sharing of an unmodified CAD/CAM application or the sharing of 3-D modeling/rotation, for a multi-client, multi-server system. IEP can be used to simultaneously update different documents/spreadsheets from a single source. IEP can be used with a world-wide-web browser to permit the sharing of a HTML (hypertext markup language) document. It can be used as a video player to present real-time presentation by sharing video/audio (e.g., MPEG files). It can also be used as an interactive visualization debugger when performing distributed/parallel debugging of multiple clients of a single server.

Note: Hao et al. renders obvious the recited limitation, " A computer based system and method comprising a plurality of vendor specific instances of an electronic print job request object, wherein each vendor specific instance of the print job request object represents a relationship between a customer and one of a plurality of vendors and each specific vendor

instance of the print job request is defined through interactive/iterative submissions of vendor and customer responses", in the application.

(ii) US Patent 5,321,841 to East et al. discloses a multitasking, multi-user computer system, wherein a server process temporarily impersonates the characteristics of a client process when the client process performs a remote procedure call on the server process. Each process has an identifier list with a plurality of identifiers that characterize the process. The server process generates a new identifier list which is either the same as the client process's list, or is the union of the server's and the client's lists. Each object in the system can have an access control list which defines the identifiers that a process must have in order to access the object. The operation system has access checking software for enabling a selected process access to a specified object when the identifiers for the process match the list of identifiers in the access control list of the specified object. The server can therefore access all objects accessible to the client while the server is working for the client. The server can restore its original identifier list after completing the services that it performs for the client.

(iii) US Patent 5,838,906 to Doyle et al. discloses a system allowing a user of a browser program on a computer connected to an open distributed hypermedia system to access and execute an embedded program object. The program object is embedded into a hypermedia document much like data objects. The user may select the program object from the screen. Once selected the program object executes on the user's (client) computer or may execute on a remote server or additional remote computers in a distributed processing arrangement. After launching the program object, the user is able to interact with the object as the invention provides for ongoing inter-process communication between the application object (program) and the browser program. One application of the embedded program object allows a user to view large and complex multi-dimensional objects from within the browser's window. The user can

manipulate a control panel to change the viewpoint used to view the image. The invention allows a program to execute on a remote server or other computers to calculate the viewing transformations and send frame data to the client computer thus providing the user of the client computer with interactive features and allowing the user to have access to greater computing power than may be available at the user's client computer.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yogesh C Garg whose telephone number is 703-306-0252. The examiner can normally be reached on M-F (8:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn W Coggins can be reached on 703-308-1344. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

Yogesh C Garg
Examiner
Art Unit 3625

YCG
February 28, 2003

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